

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

US PHILIPS CORPORATION,

Plaintiff,

v.

INTERNATIONAL NORCENT
TECHNOLOGY, et al.,

Defendants.

Case No.: C 07-80095 JW (PVT)

**FURTHER INTERIM ORDER RE:
APPLICATION FOR ORDER TO SHOW
CAUSE AND MOTION TO COMPEL
PRODUCTION OF DOCUMENTS DESCRIBED
IN SUBPOENA**

On April 3, 2007, Defendants¹ filed an Application for Order to Show Cause and Motion to Compel Production of Documents Described in Subpoena, and a separate Motion for Sanctions (the “Interim Order”).² Having reviewed the moving, opposition and reply papers,

IT IS HEREBY ORDERED that the hearing is continued to 10:00 a.m. on May 22, 2007.³

IT IS FURTHER ORDERED that non-party Philips Electronics North America Corporation (“PENAC”) has not waived its objections to the subpoena.

¹ As used herein, “Defendants” refers to Defendants International Norcent Technology and Norcent Holdings, Inc.

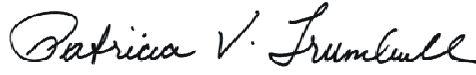
² The holding of this court is limited to the facts and the particular circumstances underlying the present motion.

³ If any counsel have a scheduling conflict with this hearing date, they shall immediately contact chambers at (408) 535-5438 to reschedule the hearing.

1 IT IS FURTHER ORDERED that, no later than May 16, 2007, the parties and non-party
2 PENAC shall meet and confer, either in person or by telephone, regarding PENAC's specific
3 objections to each category of requested documents. The meet and confer should address, for each
4 disputed category, the following issues: 1) whether the same specific documents are within
5 possession, custody or control of Plaintiff, and if so whether Plaintiff already agrees to produce the
6 specific documents or if the specific documents are subject to a motion to compel in the trial court;⁴
7 2) what kind of documents are in PENAC's possession, custody or control that may be responsive to
8 the request; 3) the likelihood that the responsive documents will provide information relevant to the
9 issues in dispute; 4) what burden on PENAC will be involved in producing the requested documents;
10 5) a reasonable scope for production.

11 IT IS FURTHER ORDERED that, no later than May 18, 2007, the parties and PENAC shall
12 each file a supplemental brief stating their position for each category of documents that remains in
13 dispute after the foregoing meet and confer process.

14 Dated: May 11, 2007

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16 PATRICIA V. TRUMBULL
United States Magistrate Judge

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28 ⁴ To the extent the documents are within Plaintiff's possession, custody or control, and are
already subject to a motion to compel in the trial court, this court will defer to the trial court's ruling
regarding those specific documents.